

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

In Re Search of the Person and
Body of Henry Louis Chase Alone
a/k/a Henry Black Elk including
buccal swabs, head and pubic hair

AFFIDAVIT FOR SEARCH
WARRANT

14-mc-44

STATE OF SOUTH DAKOTA)
)
COUNTY OF PENNINGTON)

I, Jeffrey Youngblood, Special Agent (SA) with the Federal Bureau of Investigation (FBI), Rapid City, South Dakota, being duly sworn, states as follows to obtain a search warrant to obtain buccal swabs from the person and body of Henry Louis Chase Alone a/k/a Henry Black Elk:

1. I have over 17 years of law enforcement experience, including 12 years with the FBI as a Special Agent. Prior to that I served for 5 years as a police officer for the city of Atlanta, Georgia. During that time I have investigated multiple violations of 18 U.S.C. §§ 2242 and 2243.
2. The following information is based on my own investigation and that of fellow Federal Bureau of Investigation special agents, BIA special agents, and Oglala Sioux Tribal police officers. This affidavit does not contain the entirety of my knowledge regarding this investigation.
3. I have learned through reviewing witness interviews that on July 30, 2000, then-12-year old [REDACTED] was with several friends consuming alcohol. In the group were some older boys

including Henry Chase Alone, [REDACTED], and [REDACTED]. Henry Chase Alone also went by Henry Black Elk with a DOB [REDACTED], making him almost [REDACTED] in late July of 2000. [REDACTED] consumed excessive alcohol and eventually passed out at the home of Evelyn Cordelia Protector, [REDACTED] mom. Protector's home was located in Manderson, South Dakota, which is within the exterior boundaries of the Pine Ridge Indian Reservation.

4. The next morning, July 31, 2000, Evelyn Protector emerged from her bedroom to find [REDACTED] still unconscious, but someone had removed her pants and underwear and she was naked from the waist down. Protector began to yell at the group of young people who were still outside and several went into house and dressed [REDACTED] and carried her away from the home.
5. [REDACTED] was taken to the Indian Health Service hospital in Pine Ridge, South Dakota, and was treated for severe alcohol poisoning. She had a Blood Alcohol Content (BAC) of .495 when she arrived at the hospital and she was in a coma. At the hospital she was intubated and ventilated and she was then transported to Rapid City Regional Hospital (RCRH) where she had a BAC of .366 and was still in a coma. A sexual [REDACTED] assault exam was conducted to collect hair combing and swabs. [REDACTED] clothing was also collected as evidence and later tested.

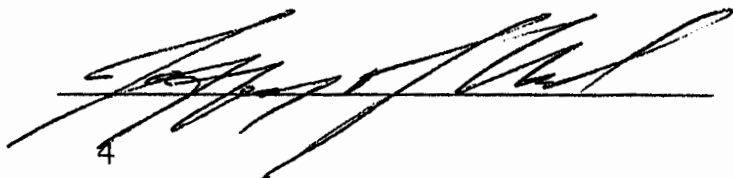
6. While at RCRH [REDACTED] was tested for sexually transmitted diseases and tested positive for chlamydia. On August 7, 2000, [REDACTED] was given a sexual assault exam by Dr. Lori Strong at Black Hills Pediatrics. Dr. Strong found that [REDACTED] had a fimbriated hymen which had a healing laceration down to her posterior fourchette. It was later determined that [REDACTED] was pregnant and the pregnancy was terminated on September 27, 2000, at Planned Parenthood in Sioux Falls, South Dakota. The fetal remains were sent to Memorial Blood Centers in Minnesota for paternal testing.
7. In 2000 the investigation was assigned to FBI SA Liz Snyder and Bureau of Indian Affairs (BIA) SA Levi Carrick. The witness statements they obtained from the juveniles present at the Protector house provided multiple different scenarios including that [REDACTED] was stopped by another male from sexually assaulting [REDACTED] and that Henry Chase Alone was alone with [REDACTED]. Both denied sexually assaulting [REDACTED] [REDACTED] and [REDACTED] voluntarily provided DNA samples which were compared against the semen found in the original sexual assault kit and both rendered negative results. The findings from the fetal testing were inconclusive so the case remained open but unsolved.
8. In 2013, Henry Chase Alone was indicted in the Central Division of the District of South Dakota along with Rochelle Breckbill (Lebeau) for

Involuntary Manslaughter and Child Abuse, case number 13-30185-02. Chase Alone was given pretrial diversion and his DNA was entered into the nationwide DNA Database known as CODIS. In February of 2014 the FBI recognized a possible association between the DNA taken from the perpetrator of [REDACTED] from the sexual assault exam and the DNA of Henry Louis Chase Alone from his 2013 case. CODIS then recommended a direct forensic comparison of Henry Chase Alone's DNA by obtaining a new DNA sample from the person known as Henry Chase Alone to further verify that the person whose samples are taken via this search warrant is in fact the person whose DNA was found in [REDACTED] [REDACTED] sex assault kit. The CODIS DNA was collected by an agent not involved in this current investigation. In the criminal prosecution it will be necessary to have an agent identify the person from whom the samples were taken to then link the DNA results to that person.

9. Based on the foregoing, I am seeking a search warrant for the DNA of Henry Louis Chase Alone, a/k/a Henry Black Elk, including but not limited to buccal swabs, pubic hair, and head hair for evidence of a violation of 18 U.S.C. §§ 1153, 2242 and 2243.

Further your affiant saith not.


Dated: July 1, 2014



4

Jeffrey Youngblood
Special Agent, Federal Bureau of
Investigation

SUBSCRIBED and SWORN to before me
this 1st day of July, 2014.


VERONICA L. DUFFY
U.S. MAGISTRATE JUDGE